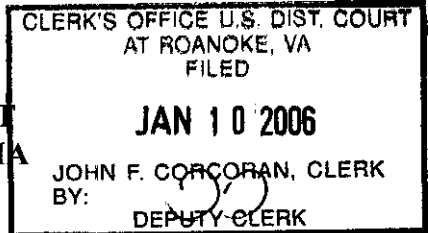


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



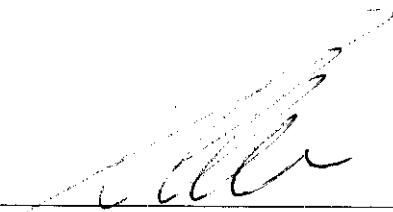
ALVIN O. WASHINGTON,)	
Plaintiff,)	Civil Action No. 7:04CV00671
)	
v.)	<u>FINAL ORDER ADOPTING REPORT</u>
)	<u>AND RECOMMENDATION</u>
)	
STERLING PROFFIT, et al.,)	By: Samuel G. Wilson
Defendants.)	United States District Judge

Alvin O. Washington brings this suit pursuant to 42 U.S.C. § 1983, claiming employees of the Central Virginia Regional Jail used excessive force against him in violation of the Eighth Amendment. Defendants filed a motion to dismiss, and the court referred the matter to United States Magistrate Judge Michael F. Urbanski pursuant to 28 U.S.C. 636(b)(1)(B) for a report and recommendation. The Magistrate Judge filed a report and recommendation, finding that Washington filed his suit outside the relevant statute of limitations and recommending dismissal. Washington timely filed objections to the Magistrate Judge's report.

The court has reviewed the Magistrate Judge's report, Washington's objections, and pertinent portions of the record, and it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's report be **ADOPTED** in its entirety, that the defendants motion to dismiss be **GRANTED**, and that Washington's suit be **DISMISSED** and **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copies of this order to the plaintiff and to counsel for the defendants.

ENTER: This 9th day of January, 2006.


UNITED STATES DISTRICT JUDGE